

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	4:15CR 404 HEA/NAB
vs.)	
)	
MICHAEL GRADY)	

**DEFENDANT'S RESPONSE IN OPPOSITION TO GOVERNMENT'S
MOTION FOR LEAVE TO FILE SUR-REPLY**

Comes now the Defendant, MICHAEL GRADY, by and through attorney Beau B. Brindley, and hereby opposes the Government's Motion for leave to file a sur-reply. In support, he states as follows:

On December 15, 2020, the undersigned filed a Renewed Motion to Substitute Counsel (Dkt. 2887). On December 22, 2020, the Government filed its response in opposition (Dkt. 2899) and on December 29, 2020, Mr. Grady timely filed his reply. (Dkt. 2912).

The reply did not raise any new, unforeseeable arguments or cite unexpected caselaw. Nevertheless, on January 5, 2021, the Government moved this Court for leave to file a sur-reply. (Dkt. 2923). That request should be denied. This is Mr. Grady's motion. The government does not have the right to get the last word. In the absence of some surprising argument in Mr. Grady's Reply, of which there were none, the government's request is inappropriate. They are not entitled to a sur-reply and the Court should use its discretion to deny the motion.

Respectfully submitted,
Michael Grady

By: s/ Beau B Brindley

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that he caused a true and correct copy of the attached Motion to be served upon the government by electronically serving it through the CM/ECF system on January 6, 2021.

s/ Beau B. Brindley

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